

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Beresford/Woodfield Center School District
Continuous Improvement Monitoring Process Report 2004-2005**

Team Members: Linda Shirley, Team Leader, Barb Boltjes, Chris Sargent, Valorie Johnson, Education Specialists.

Dates of On Site Visit: January 11 and 12, 2005

Date of Report: January 25, 2005

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

1. Student files

2. Surveys
3. District Comprehensive Plan
4. District Annual Needs Assessment
5. TAT Referral Information
6. State Data Tables
7. Budget Information
8. Screening Information

Meets requirements

The steering committee reports the district uses an effective pre-referral and referral system. They utilize a TAT team to assist students before the referral process begins. In regard to suspension and expulsion rates, the steering committee reports indicate that no disabled students were suspended or expelled for more than ten days.

Needs improvement

The steering committee indicated a need to provide more training for paraprofessionals.

Validation Results

Meets requirements

The monitoring team agrees with the steering committee data for principle one, general supervision as meeting the requirements.

Needs improvement

The monitoring team agrees with the steering committee data for principle one, general supervision as needing improvements. Through interviews with school staff and administrators, the monitoring team noted a need for professional development for paraprofessionals.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

1. Numbers of Children Screened
2. Preschool Age
3. School Age
4. Age at Referral
5. Student Progress Data
6. Personal Development Information
7. Number of Referrals that DO NOT result in evaluation
8. District Records of Release to Outside Agencies
9. Needs Assessment Information
10. Personal Training

11. Budget Information

Meets requirements

The steering committee reported the provision of a free appropriate public education for all children.

Validation Results

Meets requirements

The monitoring team agrees the district provides a free appropriate public education for all children.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

1. Teacher File Reviews
Prior notice, telephone log, evaluation report
2. Exit and Reentry into Special Education
3. Surveys
4. General Curriculum Information
5. Comprehensive Plan
6. Initial Referral Log
7. Needs Assessment Information
8. Personnel Training
9. Budget Information
10. List of Out-of-District Testing Services used by the District 61-2
11. List of Interpreters and Signers Use by the District 61-2
12. Personnel with Designated Certification

Meets Requirement

The steering committee concluded that the prior notice document used by the district contains all required content. All initial evaluations documentation of informed parental consent was available.

The district evaluation team is made up of two or more of the following: special educator, speech therapist, pre-school teacher, general educator, administrator, school psychologist, O.T., and P.T.

Areas to be evaluated are determined by a “team” or people including the referring person, special education teacher, parent, school psychologist, and administrator.

Evaluations were completed within 25 school days after receipt of signed consent in 19 out of 20 files reviewed.

In 9 out of 9 initial evaluations, comprehensive evaluations were conducted before the provision of service. 47 of 57 teachers indicated student assessment information was reflective of student progress and is valid and meaningful for planning student instruction.

All areas of suspected disability were evaluated in 19 of 20 student files reviewed. Transition evaluations were conducted for 5 of 5 students prior to their turning age 16.

A multidisciplinary team report was available in the files of 11 of 11 students with learning disabilities.

Needs improvement

The steering committee concluded that in 16 out of 20 files reviewed, parent input into the evaluation process was acquired through a parent input form, pre-referral meeting, phone interview and e-mail.

Functional evaluation data was available in all areas of suspected disability in 11 of 20 student files reviewed. Specific functional assessment skills were summarized into a report in 11 of 20 files reviewed. In-service training was provided to the district staff in the year 2000 regarding the topic of functional assessment.

Validation Results

Meets Requirements

The monitoring agrees that initial evaluations document parental consent. The district uses an evaluation team to determine needed evaluations. Evaluations were completed within 25 school days after receipt of signed consent.

Needs improvement

The monitoring team agrees with areas identified as needing improvement with the exception of issues identified under "Out of Compliance". Through file reviews and interviews, the monitoring team noted parental input into the evaluation process was not consistently documented.

Out of compliance

24:05:25:04. Evaluation procedures. School districts shall ensure, at a minimum, that evaluation procedures include the following:

(5) A variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents that may assist in determining:

- (a) Whether the child is a child with a disability; and
- (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;

The district has made a concerted effort to gather functional information for students upon reevaluation; however, functional information was not available in areas of suspected disability in 5 of 22 student files reviewed.

ARSD 24:05:04.02 Determination of needed evaluation data

As part of an initial or reevaluation, the individual education program team and other individuals with knowledge and skills necessary to interpret evaluation data, determine what evaluation data is needed to support eligibility and the child's special education needs. Through interviews and file reviews, the monitoring team determined parental input into the evaluation process was missing in 5 of 22 files.

24:05:25:04. Evaluation procedures. School districts shall ensure, at a minimum, that evaluation procedures include the following:

(1) Tests and other evaluation materials are provided and administered in the child's native language or by another mode of communication that the child understands, unless it is clearly not feasible to do so. Any standardized tests that are given to a child:

- (a) Have been validated for the specific purpose for which they are used; and
- (b) Are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producer;

(2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;

(3) Tests are selected and administered so as best to ensure that a test administered to a child with impaired sensory, manual, or speaking skills accurately reflects the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than the child's impaired sensory, manual, or speaking skills except where those skills are the factors which the test purports to measure;

(4) No single procedure is used as the sole criterion for determining eligibility or an appropriate educational program for a child;

(5) A variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents that may assist in determining:

- (a) Whether the child is a child with a disability; and
- (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;

(6) Technically sound instruments, assessment tools, and strategies are used that:

(a) May assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and

(b) Provide relevant information that directly assists persons in determining the educational needs of the child;

(7) The child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

(8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified;

(9) Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills; and

(10) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.

Five files reviewed by the monitoring team had the student's eligibility as developmental delay. During the evaluation process personal/social and adaptive were not evaluated. For a student to qualify for developmental delay a student must be evaluated in the following areas; cognitive development, physical development, communication development, social and emotional development, and adaptive functioning skills.

One student's prior notice for evaluation listed language testing, and none were completed. Two student's prior notice for evaluation listed an OT sensory screen, but none were completed.

Through file reviews and interviews the monitoring team found no transition evaluations were administered to any students at Woodfield Center turning 16.

24:05:30:05. Content of notice. The notice must include the following:

- (1) A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, and a description of any other options the district considered and the reasons why those options were rejected;
- (2) A description of each evaluation procedure, test, record, or report that the district uses as a basis for the proposal or refusal;
- (3) A description of any other factors which are relevant to the district's proposal or refusal;
- (4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this article and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and
- (5) Sources for parents to contact to obtain assistance in understanding the provisions of this article.

Through a review of student records, ten out of twenty-two prior notice/consent for evaluation did not contain a description of the action proposed or refused by the district, an explanation of why the district proposed or refused to take the action, a description of any other options the district considered and the reasons why those options were rejected. The prior notice used by Woodfield Center did not have this information on their form.

Issues Requiring Immediate Attention

ARSD 24:05:25:06. Reevaluations

24:05:22:03. Certified child.

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

The monitoring team identified the following issues:

1. A student turning 6 who had been under the disability of developmental delay was reevaluated for only speech and behavior. The parents expressed concerns at the meeting about anxiety and that the child could not control bowel movements. The student needs to be reevaluated to determine appropriate eligibility.
2. A 4 year-old student under the disability of other health impaired did not have a complete evaluation to support the disability. There were no cognitive or psychological evaluations.

3. Two students at Woodfield Center were reevaluated. One evaluation was completed on 10/14/04 the other student's evaluation was completed on 2/26/04. There has not been a meeting held for either of these students to determine eligibility.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

1. Teacher File Reviews
2. Surveys
3. Comprehensive Plan
4. Parental Rights Document
5. Consent and Prior Notice Forms
6. Needs Assessment Information
7. Public Awareness Information
8. Family Education Rights and Privacy Act (FERPA) Disclosure
9. Review of Access Logs
10. Personnel Training
11. Budget Information

Meets requirements

The steering committee concluded that parents were provided with the parent rights booklet in accordance with regulation and district policy 100% of the time. The steering committee noted parents have been fully informed in their native language or another mode of communication of all information relevant to the activity for which consent is sought. A surrogate parent is appointed if no parent can be identified. Parents of children in need of special education and related services are afforded the opportunity to inspect and review all educational records concerning the identification, evaluation and educational placement of the child and the provision of a free appropriate public education. The steering committee reported no complaints have been filed against the district.

Validation Results

Meets requirements

Through the review of data tables and staff interviews, the monitoring team found the district has not had a due process hearing within the last six years. The monitoring team agrees with all areas identified as meeting requirements for procedural safeguards as concluded by the steering committee.

Out of Compliance

ARSD 24:05:30:15-Surrogate Parent

Each school district shall establish procedures for the assignment of a surrogate parent to ensure that the rights of a child are protected if no parent can be identified and the district, after reasonable effort, cannot discover the whereabouts of a parent or if the child is a ward of the state. At a minimum, a district's method for determining whether a child needs a surrogate parent must include the following:

(1) The identification of staff members at the district or building level responsible for referring students in need of a surrogate parent;

(2) The provision of in-service training on the criteria in this section for determining whether a child needs a surrogate parent; and

(3) The establishment of a referral system within the district for the appointment of a surrogate parent.

The district superintendent or designee shall appoint surrogate parents.

The district shall ensure that a person selected as a surrogate has no interest that conflicts with the interest of the child the surrogate represents and has knowledge and skills that ensure representation of the child. The district is responsible for the training and certification of surrogate parents and shall maintain a list of persons who may serve as surrogate parents.

A district may select as a surrogate a person who is an employee of a nonpublic agency that only provides noneducational care for the child and who meets the conflict of interest and knowledge standards in this section.

A person assigned as a surrogate may not be an employee of a public agency that is involved in the education or care of the child.

A person who otherwise qualifies to be a surrogate under the provisions of this section is not an employee of the agency solely because the person is paid by the agency to serve as a surrogate parent.

The surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement, and provision of FAPE to the students.

The district superintendent or a designee is responsible for reporting to the placement committee on the performance of the surrogate parent.

The monitoring team through file reviews and interviews determined three students at Woodfield Center were not assigned a surrogate parent when needed.

ARSD 24:05:29:05- Record of Access

Each school district shall keep a record of parties obtaining access to education records collected, maintained, or used under this chapter, except access by parents and authorized employees of the district, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. A parent or eligible student may inspect this record on request.

The monitoring team found through file reviews and interviews Woodfield Center does not have any record of access to educational records for their students on IEPs.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

1. Comprehensive Plan
2. Teacher File Reviews
3. Student Progress Data
4. Personnel Development Information
5. Needs Assessment Information
6. Personnel Training
7. Budget Information

Meets requirements

The steering committee reports policies and procedures are in place to ensure an IEP is developed and in effect for each eligible student.

Needs improvement

The steering committee indicated a need to include transition statements on prior notices and to communicate clearly to parents, as well as include agencies for students in transition. The steering committee noted that regular education teachers do not always attend IEP meetings, but written input is sought from each regular educator and shared at the IEP meeting.

Out of compliance

The steering committee indicated present levels of performance need to address functional assessment results and transition results. The location of related services and person responsible for annual goals and objectives needs to be documented on the IEP. Progress reports are used, but the IEP goals are not consistently addressed in the progress report.

Validation Results

Meets requirements

The monitoring team agrees with areas identified as meeting the requirements for the development of an IEP as concluded by the steering committee.

Needs improvement

The monitoring team agrees with areas identified as needing improvement. Transition information was not documented on the prior notice in files of students 14 and older.

Out of compliance

ARSD 24:05:27:01.01 IEP team

Each school district shall ensure that the IEP team for each student with disabilities includes the following members:

- Parents of the student
- At least one regular education teacher of the student
- At least one special education teacher of the student
- A representative of the school district who:

1. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
 2. Is knowledgeable about the general curriculum; and
 3. Is knowledgeable about the availability of resources of the school district;
- An individual who can interpret the instructional implications of evaluation results,
 - Other individuals who have knowledge or special expertise regarding the student including related services personnel as appropriate;
 - If appropriate, the student; and
 - Transition services participants.

Through the review of twenty-two files, the monitoring team determined team membership did not consistently include the appropriate team members. Administrators did not consistently attend and regular education teachers at Woodfield Center did not consistently attend IEP team meetings.

ARSD 24:05:27:13.01 Agency responsibilities for transition services.

If a participating agency fails to provide agreed-upon transition services contained in the IEP of a student with a disability, the public agency responsible for the student's education shall, as soon as possible, initiate an IEP team meeting for the purpose of identifying alternative strategies to meet the transition objectives and, if necessary, revising the student's IEP.

Nothing in this section relieves a participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

A participating agency is a state or local agency, other than the public agency responsible for a student's education that is financially and legally responsible for providing transition services to the student.

ARSD 24:05:27:13.02 Transition services

Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

Through file reviews and interviews, the monitoring team noted representatives from other agencies were not consistently invited to IEP meetings for students age 16 and older at Woodfield Center, nor did the school take other steps to obtain their participation in the planning of transition services.

ARSD 24:05:27:01:03 Content of Individualized Education Plan

A student's IEP must contain a statement of the student's present level of performance. The present levels of performance should be a reflection of the functional assessment information gathered during the comprehensive evaluation. In addition, how the child's disability affects his/her progress in the general curriculum must be addressed.

The monitoring team determined 5 of 22 student IEPs reviewed did not contain skill specific functional assessment information in the present levels of performance (PLOPs). Examples of a student's PLOPs strengths were; "Puts effort into doing assignments", "participates in class". Examples of weaknesses were; "Displays immature behaviors when he feels a need for attention", "difficulty interacting with peers". In addition, the present levels of performance did not address transition in five of the seven transition age students' IEPs reviewed by the team.

Annual goals must be measurable and reasonable for the student to accomplish within a one year timeline. The monitoring team concluded nine files did not have measurable annual goals. Examples of the goals not meeting this requirement are: "... will improve articulation skills"; "... will demonstrate appropriate social skills"; and, "...will manage time effectively and display organizational skills".

The annual goal or short-term objectives must address the condition, performance and criteria. Through file reviews, the team determined that 7 of the 22 student IEPs did not consistently state the criteria or condition.

ARSD 24:05:27:01:03 Content of Individualized Education Plan

(4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;

Through a review of student files justification statements in 9 of 22 files did not use the accept reject format. When determining placement for a student the IEP team must begin with the first placement on the continuum and accept or reject the placement. If it is rejected a statement of why it is rejected must be written. The team continues down the continuum explaining each placement that was rejected, until they get to the placement they accept. The team then writes an explanation of why the team accepts the placement.

Principle 6 – Least Restrictive Environment

Steering Committee Self-Assessment Summary

Data sources used:

1. File Reviews
2. Parent, Student, General Educator Surveys
3. General Curriculum Information
4. Age at Placement
5. Needs Assessment Information
6. Personnel Training
7. Budget Information

Meets requirements

The steering committee concluded the district has policies and procedures in place for addressing the least restrictive environment for students.

Validation Results

Promising practice

Although the steering committee did not identify the district's preschool as a promising practice, the monitoring team noted it through interviews and a tour of the school. The preschool program is open to all children ages four through five. Children who are three years old and have developmental delays have the opportunity to participate in this group if appropriate. There is one certified early childhood teacher and paraprofessional in the classroom. Special education services are provided as appropriate from the child's individual education team. The monitoring team observed this program and interviewed district staff that reported the program to be an effective tool in providing appropriate developmental opportunities, as well as a tool for remediating potential areas of concern and early identification of students with special needs.

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements under least restrictive environment as concluded by the steering committee.